

ESTTA Tracking number: **ESTTA152620**

Filing date: **07/23/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	The International Investment Group L.L.C.
Granted to Date of previous extension	07/22/2007
Address	1500 Broadway, 17 Floor New York, NY 10036 UNITED STATES
Attorney information	Karl M. Zielaznicki, Esq. Troutman Sanders LLP 600 Peachtree St., NE, Suite 5200 Atlanta, GA 30308-2216 UNITED STATES trademarks@troutmansanders.com Phone:2127046125

Applicant Information

Application No	78840194	Publication date	01/23/2007
Opposition Filing Date	07/23/2007	Opposition Period Ends	07/22/2007
Applicant	IIG s.a. Advanced Tower, 2nd Floor Calle Ricardo Aria Panama City, 0823-01310, PANAMA		

Goods/Services Affected by Opposition

Class 036. First Use: 2004/04/14 First Use In Commerce: 2004/04/14
All goods and services in the class are opposed, namely: Banking; Insurance brokerage

Applicant Information

Application No	78840184	Publication date	01/23/2007
Opposition Filing Date	07/23/2007	Opposition Period Ends	
Applicant	IIG s.a. Advanced Tower, 2nd Floor Calle Ricardo Aria Panama City, 0823-01310, PANAMA		

Goods/Services Affected by Opposition

Class 036. First Use: 2006/03/14 First Use In Commerce: 2006/03/16
All goods and services in the class are opposed, namely: Banking; Insurance brokerage

Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	fraud as to claimed first use dates

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	77113244	Application Date	02/22/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	IIG		
Design Mark			
Description of Mark	The mark consists of The letter IIG with accompanied by a globe design.		
Goods/Services	Class 036. First use: First Use: 1994/12/00 First Use In Commerce: 1994/12/00 financial and investment advice, planning and research; fund and private investment fund management; financial services for sophisticated investors, namely, offering private investment fund investment products; financial investment services on behalf of institutional and retail investors; providing a website featuring finance and investment management services; fund investment, management and consultation services; fund investment consultation and capital investment consultation, private investment funds services, investment of funds for others; managing investments; financial management; financial portfolio management; funds-of-funds and related investment management activities; arranging, safeguarding and administration of assets; investment management services; asset management services, investment of funds; capital investment; consulting services and providing information in the fields of finance and investment; managing investment funds and single client accounts on behalf of third-party investors; capital investments and savings services; services relating to investment in funds, companies, shares and/or money; private equity services; hedge fund services; trade finance and asset based lending, advisory and consultancy services relating to all the aforesaid services		

Attachments	77113244#TMSN.jpeg (1 page)(bytes) iigoppositionDocument.pdf (3 pages)(90563 bytes)
Signature	/kmz/
Name	Karl M. Zielaznicki, Esq.
Date	07/23/2007

As grounds for opposition, it is alleged:

1. The International Investment Group L.L.C. ("Opposer") is a leading investment management firm in the alternative investment market. Since 1994, Opposer has offered its asset management and financial advisory services in the United States and abroad under its trademarks, service marks and trade names all containing the mark "IIG" (the "IIG Marks"). Opposer has used and continues to use its IIG Marks in interstate commerce since 1994 on or in connection with the following services:

financial and investment advice, planning and research; fund and private investment fund management; financial services for sophisticated investors, namely, offering private investment fund investment services; financial investment services on behalf of institutional and retail investors; providing a website featuring finance and investment management services; fund investment, management and consultation services; fund investment and capital investment consultation, private investment funds services; investment of funds for others; managing investments; financial management; financial portfolio management; funds-of-funds and related investment management activities; arranging, safeguarding and administration of assets; investment management services; asset management services; investment of funds; capital investment; consulting services and providing information in the fields of finance and investment; managing investment funds and single client accounts on behalf of third-party investors; capital investments and savings services; services relating to investments in funds, companies, shares and/or money; private equity services; hedge fund services; trade finance and asset based lending;

advisory and consultancy services relating to all the aforesaid services (hereinafter, "Opposer's Services").

2. Opposer is also the owner of the following pending application:

MARK	APPLICATION NO.	FILING DATE
IIG logo	77113244	February 22, 2007

3. Upon information and belief, members of the trade and customers commonly use "IIG" when referring to Opposer and Opposer's Services.

4. By virtue of said usage above, the IIG Marks have become distinctive and exclusively identified with Opposer and Opposer's Services in the United States through continuous use since the first use dates set forth herein.

5. On March 17, 2006, IIG s.a. ("Applicant") filed US Trademark Application Serial Nos. 78840184 seeking registration for the mark IIG and design and 78840194 seeking registration of the mark IIG in the United States Patent and Trademark Office (hereinafter, "Applicant's IIG Marks") in International Class 36 for banking and insurance brokerage services (the "Applicant's Services").

6. Upon information and belief, Applicant's Services offered under the Applicant's IIG Marks are likely to be offered to the same customers and through the same channel of trade as the Opposer's Services offered under its IIG Marks.

7. Opposer believes and alleges that the continued use and proposed registration of Applicant's IIG Marks as claimed in Application Serial Nos. 78840184 and 78840194 are likely to cause confusion, or mistake or deception of customers as to the respective marks owned by the parties at hand and as well as to the sources of the services offered by Applicant and Opposer respectively or to deceive, mislead the trade and public in general to believe that Opposer is the source of Applicant's Services offered under Applicant's IIG Marks and/or that

Applicant's Services offered under Applicant's IIG Marks are sponsored, licensed, approved or endorsed by Opposer.

8. Applicant's continued use and proposed registration of Applicant's IIG Marks for Applicant's Services as claimed in Application Serial Nos. 78840184 and 78840194 are likely to cause confusion with Opposer's rights in its IIG Marks in violation of Section 2(d) of the Trademark Act of 1946, as amended. (15 U.S.C. § 1052(d)).

9. Applicant's continued use and registration of Applicant's IIG Marks for Applicant's Services as claimed in Application Serial Nos. 78840184 and 78840194 are calculated or likely to cause irreparable loss, injury and damage to Opposer's reputation and would permit Applicant to trade on Opposer's rights and goodwill in its IIG Marks.

10. Applicant's IIG Marks as claimed in Application Serial Nos. 78840184 and 78840194 are a misappropriation of Opposer's prior rights in its IIG Marks and any use and registration of the same by Applicant will disparage and falsely suggest a connection with Opposer in violation of Section 2(a) of the Trademark Act of 1946, as amended. (15 U.S.C. § 1052(a)) resulting in irreparable harm and injury to Opposer.

11. Upon information and belief, Applicant failed to use Applicant's IIG Marks as set forth in Application Serial Nos. 78840184 and 78840194 in interstate commerce prior to the claimed first use dates therein.

WHEREFORE, Opposer prays that this Opposition be sustained and that Application Serial No. 78840184 and 78840194 be refused registration.